

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, MARCH 14, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, March 14, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Christopher R. Lucy, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Peter Thrasher, Michael C. Pyle, Susan Jenkins, Barbara Demore, Dick Seed, Gerard Kinahan, Paul Morris, Tony Jackett, Ansel Chaplin, Catherine Costa, Trudi Brazil, Brian Davis, Ken Oxtoby, Howard Irwin, Zana Tesson, Jamie Davis, Sibbey Davis, Pat Snell, Cherie Mittenenthal, Susan Kurtzman, Guy Strauss, Bill Phillips, John Thomas, Breon Dunigan-Bailey, Brenda Boleyn, Tim Silva, Dennis Klass, Jon Arterton, Steve Desroche of the Cape, and Pru Sowers of the Banner. Lloyd F. Rose and Paul J. Asher-Best, were absent.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the regular and Executive Sessions of February 28, 2006, and to hold the Executive Session minutes in abeyance. Mr. Lucy seconded it. Vote: 3-0, unanimous.

Public Comment: Ray LeDuc and James McNulty, representing the Cape Tip Motocross Club asked for the support of the BOS regarding an article on the ATM Warrant in Provincetown that would create a riding area on the leaching field between Jerome Smith Road and Route Six in Provincetown. Mr. Gaechter said he would send an e-mail with his personal support. Mr. Palmer felt the BOS could support the general goal of the club even though this article was not in their prevue. **Mr. Palmer moved to support the efforts of the Cape Tip Motocross Club to establish an off-road racing area for the residents of the lower Cape. Mr. Gaechter seconded it. Vote: 3-0, unanimous.**

Public Hearing: Alcoholic Beverage license for Rumthacker, Inc: Mr. Gaechter asked the applicant to elaborate on his plans. Mr. Thrasher said he is leasing the building at 69 Shore Road and will operate under the name Babe's Restaurant, serving breakfast and dinner. He emphasized that this would not be a bar. He will operate from 5:00 p.m. - 10:00 p.m. for dinner and would be open no later than that. He is solely responsible for this business. Mr. Gaechter noted that if in the future, there is a change in stockholders, it must be changed at the state level. **Mr. Gaechter moved to authorize a seasonal wine and malt license to Rumthacker, Inc., d/b/a Babe's Restaurant. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Beach Commission: The Beach Commission presented their recommendations to the BOS:

1. Boat storage: One-year trial policy for overnight storage in two areas: Corn Hill Beach (100 linear feet) and Noon's Landing (50 linear feet), the location to be decided on an annual basis by the Beach Supervisor. **Mr. Gaechter moved approve the boat policy as presented. Mr. Palmer seconded it. Vote: 3-0, unanimous.**
2. Parking fines: The Commission recommends increasing all the fines. Input from Chief Thomas was sought and he had no objection. **Mr. Gaechter moved to approve the fines as recommended and to have the Clerk print new tickets with budgeted money. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

3. Beach parking - waiting: Mr. Seed outlined the on-going problem at Ballston Beach. The recommendation is to support the Beach Supervisor's no waiting policy since this issue is best left under the control of the Supervisor. Mr. Gaechter said that at first he felt waiting should be allowed, but in listening to the issues, he will support this. Mr. Palmer questioned why a change if it was a long-standing policy to allow waiting. Mr. Gaechter said that a long-term solution would be additional parking. **Mr. Palmer moved to endorse the recommendation of the Beach Commission with the understanding that it is an on-going problem and the BOS would prefer to find a long-term solution and that the Beach Commission will continue to search for that solution. Mr. Gaechter seconded it.**

4. Beach fires: The BOS supported the recommendation to increase the number of permits issued, but both Mr. Gaechter and Mr. Palmer wanted to impose a fee for the fire permit. Mr. Seed explained that members of the Commission were not interested in setting such a fee while the Beach Department brings in more than the services cost. Mr. Gaechter said there is the added expense of monitoring the fires, and if it is making too much, they should lower the other fees instead of not imposing a new one. The BOS will put this fee on the agenda when they meet with the FinCom; the BOS will provide the FinCom with the Commission's position on this. Ms. Costa went on record as supporting a fee. **Mr. Palmer moved to authorize an increase in the number of beach fire permits issued and to defer the fee issue. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

5. Warrant article to expand Head of the Meadow parking: Mr. Seed explained that this was a step the town could take immediately because we own the land and it is far enough away from the dune so that notice to ConsCom is all that is required. The BOS planned to discuss the ATM warrant articles later in the meeting. Mr. Palmer asked how many new spaces would be created. Mr. Seed didn't know but would have this information for ATM. Mr. Morris explained that they were going to repave the road with Chapter 90 money. Mr. Gaechter reported on a meeting with the NPS to discuss land swapping at which it was agreed to reinstitute a joint committee on beach parking and that the BOS would like to have the Town Administrator, Mr. Seed and Mr. Morris as members representing the town.

School sidewalk: Mr. Gaechter asked what had prompted the request for the sidewalk--was it a requirement in state statutes or is it local. Mr. Davis said that in reviewing their crisis plan they found there would be times when it made more sense to have the children walk to the PSF, and even with the highway shut down, a sidewalk would be helpful with emergency vehicles or a child in a wheelchair. Chief Thomas said the PD would do what it could to shut down the highway with the man power available, but it depends on the reason for the evacuation. Mr. Gaechter said he feels the letter from the state just agrees to do the sidewalk whenever they get around to it, and he doesn't want to sign something supporting that. TIP money may be available, and it could be done more timely. Mr. Oxtoby said the School Committee discussion was on a sidewalk along Route Six, and this would be a means to get a portion of it accomplished. A bike path would accomplish the same thing as a sidewalk. Chief Thomas said that there would be no way to detour traffic around the area in front of the school in an emergency. He said that the sides of the roads there were widened when it was re-paved for this reason, and so he is concerned when there is talk about a raised lane. Mr. Gaechter said he foresees a bike lane at the same level as the road, and an application put in through the CCC for TIP to do a feasibility

study for a bike lane that could also serve as an emergency route for the school. The town would design it, and then send it to the CCC and the State to review. Mr. Morris said it was his understanding that TIP couldn't be used on a State highway. Mr. Gaechter said he has spoken to someone about the process, but if that is correct, they would have to find another means. He directed Ms. Nolan to take it as an action item to begin the process as discussed.

Discussion on Duarte Park: Mr. Irwin suggested in a letter to the BOS that the new park would be enhanced by having a nature theme as its focus, with plantings of attractive, hardy perennials and small shrubs. Mr. Gaechter asked if this would require a change to the plans filed with ConsCom. Mr. Irwin said it would not. The added cost for the plantings would be approximately \$1k. **Mr. Gaechter moved to support the proposal from Mr. Irwin, and that Mr. Irwin is to coordinate it with ConsCom and DPW Director Morris. Mr. Lucy seconded it.** Ms. Snell had a number of questions for the Board concerning the plans to provide parking and a drop off area. Mr. Gaechter assured her that Chief Thomas would study the safety issues. Chief Thomas said he would study an engineered plan, but the area has always been used as a parking lot. He explained the process he will use in his safety evaluation. Her questions then centered on whether the locust is an invasive species or not and if all the species that will be planted in the park are native. Mr. Gaechter said that the BOS will have a plan when Mr. Irwin comes back before them. **Vote: 3-0, unanimous.**

Curb cut application: Prince Valley Road: No one was present to speak to this application so the matter was deferred.

Appointment request: Chief Thomas requested that the BOS appoint Scott J. Holway as a student officer for the Truro Police Department. **Mr. Gaechter so moved, with Mr. Palmer seconding his motion. Vote: 3-0, unanimous.**

Regional Lockup Facility: Chief Thomas received a survey from the County regarding the use of a County regional lockup facility. He and Ms. Nolan have signed it, and he requested that the Chairman sign it as well. After discussion on the usefulness of such a facility, **Mr. Gaechter moved to have the Chairman sign the form responding to a survey on a regional lockup facility. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Bells and Chimes: Mr. Morris reported that he had installed the louvers and sound proofing and it had not made much difference. He feels it is time to hire someone to study the acoustics. Mr. Gaechter questioned if there were money for this. He was told there is still money in the Steeple Fund. He authorized Mr. Morris to proceed with finding someone, in consultation with the Town Accountant on funds available.

Veteran's Memorial: The Board had received a letter from Arozana Tesson in which she urged them to get the plaques with the veteran's names updated and put on display again. She also volunteered to work on the project. Mr. Davis explained that there are two plaques, one for WWI and the other for WWII. They need to be cleaned and updated. He praised Ms. Tesson for her letter to the BOS. Mr. Morris said that a few years back there had been discussions with

Austin Rose about updating with the Korean War, but nothing was done. He feels that the Town Hall would be a safer place to display them than one of our town parks. **Mr. Gaechter moved to authorize the Town to determine the best location of the plaques with citizen input and to determine how to update the plaques and to have them come back to the BOS with a plan. Mr. Palmer seconded it.** Mr. Gaechter said he does not want to form another committee, and directed Ms. Nolan to get an ad hoc group together with her and Mr. Morris. Ms. Nolan asked if she should get a cost estimate and budget it. Mr. Gaechter said not in this budget; perhaps for a fall STM. **Vote: 3-0, unanimous.**

ATM Warrant, Articles 1-15: The BOS were not prepared to vote on the articles, because many figures are still not available and there were only three members present. They commented as follows:

All articles: There are formatting issues with all the articles, and more recommendation votes must be added to them.

Article 6 (Community Center borrowing): Discussed using the words "a sum" versus "a sum no larger than". The TBC should have more information after their next meeting.

Article 8 (Non-profits signage): There were problems with this article. Town Counsel told Ms. Nolan that the State has dominion over the signage, and they would not be under the jurisdiction of the Sign Code. Counsel also advises that the non-profits can't ask for this, the Town must. The cost of the signs will be less than \$10 k. Ms. Brazil said she feels this violates the anti-aide amendment. The Town could not give a gift or donation to a non-profit --only through a contract with the Town. It was decided to approach the non-profits and ask them to revise or pull the article. At this point the non-profit petitioners arrived at the meeting, and agreed to meet with the Town Administrator to discuss this.

Articles 13 and 14: Plumbing Inspector pay scale/compensation: The figures need to be checked on these.

Ms. Nolan will provide the Board with the rest of the articles next week.

Budget: Ms. Nolan commented that the biggest increases in the budget are due to fuel and electricity costs, and in departments that are growing. New equipment is being purchased by the IT Director, and taken out of individual budgets. There is a big jump in Town Counsel expense. Budgets with larger increases include the Recreation Department (new dugout, landscaping), the IT Department (more hours for Director), the ambulance fund (due to the new contract with LCAA), Emergency Management, the BOH (increase due to the success of their programs), the WROC (fully funding the contract with the engineers), the Beach Department (cell phones). Pamet Harbor Operations is down by \$10k. The rise in short term debt is due to the Poore property purchase. There were questions on the Police Department overtime budgeted. Ms. Nolan will find out why that is so high. Mr. Gaechter was told that the increase in the Board of Assessors' real line relates to the cyclical inspections required and the commercial inspections done by Kapinos. Mr. Gaechter asked the Town Accountant to check the BOS purchase of service account and see what has been expended to date. He feels it can be cut. The BOS discussed the CIP and if items should be moved into it. One item that could be moved was the dugout for the Recreation Department. Ms. Nolan noted that the CIP is low; she wished it was higher. Ms. Brazil told the Board she was not sure if an override will be needed. Ms. Nolan

noted that there is one more Union contract to negotiate, and they want to make the ATM. Mr. Gaechter asked about free cash, and Ms. Brazil said she estimates it to be in the \$400k range. She plans to have projections ready for their agenda packets next week.

Town Administrator's Report: (action items)

- Received a recommendation from the Energy Committee that the wash lights on Town Hall be turned off. **Mr. Gaechter moved to remove the wash lights from Town Hall. Mr. Lucy seconded it. Vote: 2-1, with Mr. Palmer opposed. The motion failed.**
- Announced John Sanguinet was taking another job in Billerica. She was sad to see him go and grateful for all his knowledge to a new person in town. Mr. Gaechter said the BOS felt so, too. She will advertise the position in the Banner, Codder and CC Times, with an emphasis on planner. She will probably interview with a member of the Planning Board.

Selectmen/Liaison Reports: (action items)

Lucy: - BOFE terms will be up April 30th, and an advertisement needs to be placed.

- Reported that the Recreation Commission is working on a way to allow parents to participate in ATM while their children are being cared for in the cafeteria. The idea of piping sound into the café has been raised. Pre-town meeting and candidate's night is scheduled for April 11 at the TCS. Mr. Lucy wondered if it should be here at the Town Hall so it could be televised. It was pointed out that this room is not large enough.
- Asked for a report on the meeting with MA Highway Director George Ayoub. Ms. Nolan said that he had remarked that perhaps the ACOE could fix the highway at Pilgrim Lake when they complete the project at Pilgrim Lake. Ms. Nolan pressed this very hard, telling him that it must be fixed as soon as possible. Mr. Lucy remarked that Route Six is the pipeline to Provincetown. It was agreed that this should be considered an emergency. Mr. Gaechter directed Ms. Nolan to see if Provincetown would sign a letter to the legislators about this.
- The Planning Board has a number of articles for the warrant and is holding public hearings. Mr. Gaechter directed Ms. Nolan to call Nick Brown to have the Planning Board come to the BOS meeting next week.
- The PHC is concerned about the possible kayak launch at the Duarte Park. The kayaks would be the responsibility of the Harbor Master, even though it is quite a distance away. They were concerned with the loss of fees, as well as the safety of parking and carrying of kayaks across the road. They are recommending the placement of a rack at Corn Hill, in the south corner of the lot. They haven't seen the plans for the park yet. Mr. Gaechter directed Ms. Nolan to be sure the PHC were given a copy of the plans when they are ready.
- Discussed the dilemma of a site for the NT Post Office. After a lengthy discussion, the consensus was that they did not know how to proceed.

Gaechter: -Reported on the meeting with the ACOE. There was a briefing on the project at Pilgrim Lake. There will be a proposal for one year from now to increase the tidal exchange. He expects to see their report so the BOS can provide comment.

- Reported on a meeting with the NPS to discuss land swaps for the DPW site and more beach parking. They also broached access to the North Union Field well site to get out of the

eminent domain issue. Mr. Palmer said he feels the taking should go forward, regardless of access because of the value of the property. Mr. Gaechter said that is not as important to him now as it was.

- Asked Ms. Nolan to report on the Snow's Landing meeting. She reported that it is clear that the Town owns the road and to the high tide line. They could contact the property owners to the right to get access at the low tide, but first Town Counsel will research the laws regarding access to boaters. The intent is to keep the area open to the public.

Next week's agenda: Discussion with FinCom on fee schedule, ATM Warrant w/ Planning Board.

Mr. Lucy moved to adjourn. Mr. Gaechter seconded it. Vote: 3-0, unanimous.

The meeting was adjourned 9:05 p.m.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy

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